

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON,
AT SEATTLE

SMARTSHEET, INC.,

Plaintiff,

vs.

FEDERAL INSURANCE COMPANY, *et al.*,

Defendants.

Cause No. 2:22-cv-00314-MJP

STIPULATED MOTION AND ORDER TO
MODIFY BRIEFING SCHEDULE ON
FEDERAL INSURANCE COMPANY'S
AND FREEDOM SPECIALTY
INSURANCE
COMPANY'S MOTIONS TO DISMISS

NOTE ON MOTION CALENDAR:
MAY 19, 2022

STIPULATION

Defendant Federal Insurance Company ("Federal"), Defendant Freedom Specialty Insurance Company ("Freedom") and Plaintiff Smartsheet, Inc. ("Smartsheet") (collectively, the "Parties") respectfully request that the Court modify the briefing schedule on Federal's and Freedom's pending Motions to Dismiss. Federal and Freedom have each separately filed motions to dismiss. (Dkt. 44, 52) The current noting dates and briefing schedules under Local Rule 7(d)(3) are as follows:

///

STIPULATED MOTION AND ORDER TO MODIFY BRIEFING
SCHEDULE ON MOTIONS TO DISMISS – 1
USDC WD WA/SEA CAUSE NO. 2:22-cv-00314-MJP

4855-4001-3087, v. 1

SOHA & LANG, P.S.
ATTORNEYS AT LAW
1325 FOURTH AVENUE, STE 2000
SEATTLE, WASHINGTON 98101
(206) 624-1800/FAX (206) 624-3585

Federal's Motion:

- Smartsheet's Response Brief due: Monday, May 23, 2022
- Federal's Reply Brief due: Friday, May 27, 2022
- Noting date: Friday, May 27, 2022

Freedom's Motion:

- Smartsheet's Response Brief due: Monday, May 30, 2022
- Freedom's Reply Brief due: Friday, June 3, 2022
- Noting date: Friday, June 3, 2022

The Parties respectfully request that the Court modify those briefing dates to the following dates stipulated to by the Parties:

Federal's Motion:

- Smartsheet's Response Brief due: Friday, June 10, 2022
- Federal's Reply Brief due: Friday, June 24, 2022
- Noting date: Friday, June 24, 2022

Freedom's Motion:

- Smartsheet's Response Brief due: Friday, June 10, 2022
- Freedom's Reply Brief due: Tuesday, June 28, 2022
- Noting date: Friday, July 1, 2022

A proposed order is subjoined below.

DATED this 19th day of May, 2022.

SOHA & LANG, P.S.

1 By: /s/ Geoffrey Bedell

2 Geoffrey Bedell, WSBA # 28837

3 **Soha & Lang, P.S.**

4 1325 Fourth Avenue, Suite 2000

5 Seattle, WA 98101-2570

6 Tel: (206) 624-1800

7 Fax: (206) 624-3585

8 Email: bedell@sohalang.com

9 *Attorneys for Defendant Federal Insurance*
10 *Company*

11 WILEY REIN, LLP

12 By: Matthew W. Beato

13 Matthew W. Beato (*pro hac vice*)

14 Daniel J. Standish (*pro hac vice*)

15 **Wiley Rein, LLP**

16 2050 M Street NW,

17 Washington, DC 20036

18 Tel: (202) 719-7130

19 Tel: (202) 719-7518

20 Email: dstandish@wiley.law

21 mbeato@wiley.law

22 *Attorneys for Defendant Federal Insurance*
23 *Company*

BETTS, PATTERSON & MINES, P.S.

By: /s/ Joseph D. Hampton (as authorized by email)

Joseph D. Hampton, WSBA #15297

Danielle N. McKenzie, WSBA #49715

Betts, Patterson & Mines, P.S.

One Convention Place, Suite 1400

701 Pike Street

Seattle, WA 98101-3927

Tel: (206) 292-9988

Fax: (206) 343-7053

Email: jhampton@bpmlaw.com

dmckenzie@bpmlaw.com

Attorneys for Defendant Freedom Specialty
Insurance Company

SKARZYNSKI MARICK & BLACK LLP

By: /s/ Edward Carleton (as authorized by email)

Edward C. Carleton, *pro hac vice*

Juan Luis Garcia, *pro hac vice*

Skarzynski Marick & Black LLP

One Battery Park Plaza

32nd Floor

New York, NY 10004-1465

Tel: (212) 820-7700

Email: ecarleton@skarzynski.com

jgarcia@skarzynski.com

*Attorneys for Defendant Freedom Specialty
Insurance Company*

MILLER NASH LLP

By: /s/ K. Michael Fandel (as authorized by email)

K. Michael Fandel, WSBA No. 16281

MILLER NASH LLP

Pier 70 - 2801 Alaskan Way, Suite 300

Seattle, WA 98121

Tel: (206) 624.8300

Fax: (206) 340.9599

Email: Michael.Fandel@millernash.com

Attorneys for Plaintiff

MILLER FRIEL, PLLC

By: /s/ Bernard Bell (as authorized by email)

Bernard P. Bell (*pro hac vice*)

Benjamin W. Massarsky (*pro hac vice*)

MILLER FRIEL, PLLC

2445 M Street, NW, Suite 910

Washington, DC 20037

Tel: (202) 760.3160

Email: bellb@millerfriel.com

massarskyb@millerfriel.com

Attorneys for Plaintiff

ORDER

Pursuant to Stipulation, IT IS SO ORDERED as follows:

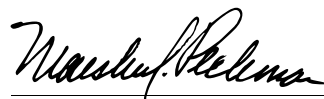
The briefing schedule on Federal's Partial Motion to Dismiss (Dkt. 44) is modified as follows:

- Smartsheet's Response Brief due: Friday, June 10, 2022
- Federal's Reply Brief due: Friday, June 24, 2022
- Noting date: Friday, June 24, 2022

The briefing schedule on Freedom's Motion to Dismiss (Dkt. 52) is modified as follows:

- Smartsheet's Response Brief due: Friday, June 10, 2022
- Freedom's Reply Brief due: Tuesday, June 28, 2022
- Noting date: Friday, July 1, 2022

IT'S SO ORDERED this 20th day of May, 2022.



MARSHA J. PECHMAN
UNITED STATES DISTRICT JUDGE